

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

Petition of DGMB, LLC d/b/a Resorts Casino
Hotel Requesting Temporary Service
of Alcoholic Beverages On The Beach
(VIP Area For Beach Concert)

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ORDER
PRN 1571301

By its Petition (PRN 1571301) to the Division of Gaming Enforcement ("Division"), DGMB, LLC d/b/a Resorts Casino Hotel ("Resorts") requests a temporary miscellaneous contingency permit to extend its Casino Hotel Alcoholic Beverage ("CHAB") licensed premises in conjunction with a beach concert to be held on Resorts' leased beach area on June 15, 2013. The area sought to be temporarily included as part of Resorts' CHAB licensed premises is a portion of the leased beach area adjacent to Resorts' approved casino hotel as depicted on the architectural drawing submitted as an exhibit to the Petition. Within the fenced-in area described by Resorts as the "VIP area," Resorts will serve food and beverages, including alcoholic beverages, only to invited guests within that area. On June 13, 2013, the City of Atlantic City ("City") issued a Special Events Permit for the concert which includes permission to erect and maintain temporary structures on the beach including the VIP area. As the alcoholic beverages served within the VIP area will be in open containers for consumption within the site of the VIP area, Resorts seeks the authorization of that area as a Type II (hotel) outlet. The Division has inspected the proposed outlet and found the aforementioned areas suitable for Type II authorization in accordance with the Division's

regulations.

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, and the Division's authority to grant such requests by temporary miscellaneous contingency permit pursuant to *N.J.A.C. 13:69I-5.6*, I hereby ORDER that the Petition be granted and the CHAB license of Resorts be amended to temporarily authorize the VIP area a Type II CHAB outlet, subject to the following conditions:

1. Hours of operation of the VIP area premises, inclusive of set-up and break down, will be from 6:00 a.m. on June 15, 2013 until 6:00 a.m. on June 16, 2013.
2. The VIP area premises will be that area specifically delineated in the architectural diagram submitted to the City and which was relied upon by the City in its issuance of a Special Events Permit on June 13, 2013. That diagram was provided to the Division as part of Resorts' request.
3. Alcoholic beverages are to be provided to patrons within the VIP area premises of Resorts by the glass or other open receptacle for consumption within the VIP area premises only.
4. Resorts will maintain procedures to insure that service of alcoholic beverages to the invited guests of its VIP area premises will be only to those individuals who are 21 years of age or older and that such beverages are not served to individuals who are actually or apparently intoxicated.
5. Resorts will maintain adequate security during operation of its VIP area premises to insure the safety of invited guests and employees and to prevent the removal of the alcohol by unauthorized individuals in accordance with the security plan submitted to the Division and relied upon by the City in its issuance of a Special Events Permit.
6. While conducting the service of alcoholic beverages within its VIP area premises, Resorts will comply with all requirements attendant to Type II CHAB authorization, pursuant to *N.J.S.A. 5:12-103g(2)* and with all applicable alcoholic beverage laws and regulations of the Division and, as deemed applicable, the Division of Alcoholic Beverage Control.

7. The conditions of operation of the VIP area premises are to be in accordance with the representations made in the Petition.
8. Resorts is to obtain all necessary approvals from other governmental agencies prior to commencing operation of its VIP area premises.

Dated: June 14, 2013

David L. Rebeck/mj
DAVID L. REBUCK
DIRECTOR